

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Banerjee *et al.*

Serial No.: 09/887,281

Serial No.: 09/887,281

Conf. No.: 6268

Filed: June 22, 2001

**For: BRONCHODILATING
COMPOSITIONS AND METHODS**

Art Unit: 1614

Examiner: Weddington, K.



CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EV 260128733 US

Date of Deposit January 23, 2003

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I hereby certify that this paper is being deposited with the United States Postal "Express Mail Post Office to Addressee" Service under 37 CFR §1.10 on the date indicated above and addressed to:

Commissioner for Patents,
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P.O. Box 2327
Arlington, VA 22202

01/23/03

Date


Michael Lough

~~Michael Lough~~

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN ACCORDANCE
WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 2327
Arlington, VA 22202

Dear Sir:

Since this Supplemental Information Disclosure Statement is filed after receipt of a first Office Action on the merits for the above-captioned application, the filing fee of \$180.00 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§1.97-1.98. The Form PTO-1449 (1 page) and cited references are provided herewith.

The documents listed on the Form PTO-1449 are in the English language with the exception of Item D, which is in the German language. An English-

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U.S.S.N 09/887,281

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT



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language equivalent of Item D is provided (Item B). Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Examiner the following U.S. and International applications, which are commonly owned and/or have one or more inventors in common in the instant application:

<u>U.S.S.N.(App. no.)</u>	<u>Filing Date</u>	<u>Docket No.</u>
10/138,866	05/03/02	1013B
09/887,496	06/22/01	1014
10/145,978	05/13/02	1014B

<u>Int'l App. no.</u>	<u>Filing Date</u>	<u>Docket No.</u>
PCT/US02/06240	02/28/02	1013PC
PCT/US02/06252	03/01/02	1014PC

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

* * *

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

Respectfully submitted,
HELLER EHRLMAN WHITE & MCAULIFFE LLP

By:

Dale L. Rieger
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Attorney Docket No. 18025-1013

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